

Senators who have amendments which they wish to offer, and it would be my hope and projection that these amendments would not be foreclosed. Frequently, on this side of the aisle, the point is raised that we will not agree to have cloture to cut off further amendments when our Members have not had an opportunity to present their amendments.

This is a very important bill. The bill is lopsided in favor of Wall Street over Main Street. We have seen the situation with the bailout of Bear Stearns. This bill contains provisions which will help the big guy, so to speak, with the credit for purchases of homes, with the tax credit for those who buy homes in foreclosure, and with the provisions carrying losses forward.

This bill, as noted by Senator DODD, does not adequately take care of the so-called little guy. The amendment which I wish to have voted upon would be a significant move in that direction. So I hope we will have an opportunity to vote on my amendment and to give other Senators an opportunity to present amendments to give better balance to this bill.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Montana.

Mr. BAUCUS. Mr. President, I ask to speak as in morning business. I might ask the Chair, is the Senate in morning business?

The ACTING PRESIDENT pro tempore. The time in morning business has expired, and the Senator can speak in morning business by unanimous consent.

Mr. BAUCUS. I might ask, Mr. President, if we are not in morning business, then what is the parliamentary situation?

The ACTING PRESIDENT pro tempore. To make a unanimous consent request, that you can.

Mr. BAUCUS. The Chair is assuming my intention, which I will ignore at this moment.

Mr. President, I ask unanimous consent to speak as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### HOUSING

Mr. BAUCUS. Mr. President, a Chinese proverb asks: How can one beam alone support a house?

The same can be asked about the housing market. The housing market includes homeowners, home buyers, and homebuilders alike. To support the entire housing market, one does best to support each of its several parts.

That is why I worked with my colleague, Senator CHUCK GRASSLEY, and other members of the Finance Committee to craft the housing tax provisions in the pending substitute amendment. These provisions address the several parts of the housing market. Our legislation would help homeowners, home buyers, and homebuilders. In so

doing, our legislation would provide sounder support for the market as a whole. In today's economy, many homeowners are having difficulty paying the mortgage. About 4 percent of first-mortgage debt is delinquent. Another 1 percent is in default.

Last year, nearly 1.5 million homeowners defaulted on their first mortgages. That is up from 900,000 in the year before and 800,000 in the year before that. Defaults and foreclosures have contributed to the decline in housing prices. They have destroyed more than \$2.5 trillion in household net worth in the space of a year.

Our legislation would help homeowners with a property tax deduction available for people who do not itemize their tax deductions. This new deduction would alleviate some of the burden of local property taxes, at a time when homeowners are struggling to pay their mortgages.

This new property tax deduction would provide a standard deduction for up to \$500 for single filers and \$1,000 for joint filers. It would be available to the more than 28 million families who pay property taxes but who do not itemize their deductions. These are middle- and low-income households. These are some of the same families in the housing market who most need relief.

For home buyers, our legislation includes a home buyer credit and mortgage revenue bonds. The home buyer tax credit provides a \$7,000 tax credit for the purchase of a home upon which foreclosure has been filed. The tax credit rightfully excludes second-home purchases and rental investments. It focuses on the principal residences of struggling families.

By targeting foreclosed properties, our provision would get families into vacant homes. By targeting homes that are near foreclosure, our credit may steer home buyers to those homes. That may make enough difference to help some families to get out of foreclosure and out of harsh eviction proceedings.

Our legislation also includes mortgage revenue bonds. We would provide an additional \$10 billion of tax-exempt private activity bond authority. States could use these bonds to refinance subprime loans, to provide mortgages for first-time home buyers, and to provide multifamily rental housing.

This substantial increase for the States comes at a critical time. States are directly experiencing the effects of the economic downturn. With the financial crisis tightening up lending, this cash can provide much needed financing. That financing will once again help low- to middle-income households.

The subprime mortgage crisis and declining housing sales have forced many homebuilders to lose money. According to the most recent Labor Department report, construction and manufacturing are the hardest hit sectors of the economy. Construction shed 51,000 jobs so far this year, and manufacturing shed 48,000 jobs so far this year.

Construction employment alone is down 182,000 jobs since November. It is down by 356,000 jobs over last year. Overall, the private sector has lost 296,000 jobs over the last 3 months. That is a loss of 97,000 jobs a month.

For homebuilders, our package would allow businesses to carry back losses to profitable tax years. That would help the homebuilders hit the hardest by the housing market crisis. The pending amendment would allow troubled businesses to carry back net operating losses for 4 years, for tax years 2008 and 2009. That would allow them to receive quick tax refunds.

This tax relief would slow losses. These businesses would then have a quick cash infusion to meet payroll and other current expense obligations. We hope this relief would encourage these businesses to rehire some of those workers who have lost their jobs. This provision benefits both employers and employees.

As well, the net operating loss provisions in the pending amendment would allow homebuilders and other distressed businesses to take the book benefit of a net operating loss before claiming the amount on their tax return. This would help distressed businesses to obtain additional financing.

Now, these provisions alone would clearly not solve the housing market woes facing this Nation, but by helping homeowners, home buyers and homebuilders, we would take a significant step in the right direction. No one piece of legislation can solve all of our problems but inaction most certainly will solve none of our problems. That is why we must act. We should bring debate to a close. We should invoke cloture this afternoon. We should pass this much needed tax relief.

Let's not rely on one beam alone to support an entire structure. Let's pass this help for home buyers, homebuilders, and homeowners, and let's provide this much needed support for the housing market.

#### UNITED STATES-COLOMBIA TRADE PROMOTION AGREEMENT

Mr. BAUCUS. Mr. President, John F. Kennedy once said: "Let us not seek the Republican answer or the Democratic answer, but the right answer."

President Bush has said that he intends to submit the implementing legislation for the United States-Colombia Trade Promotion Agreement. He did so against the will of Congress, and he thus did not seek the right answer. He did not even bother with the Republican or the Democratic answer. The administration simply chose the easy answer. The administration's easy answer is also the wrong answer. It is the wrong answer for American workers. It is the wrong answer for the administration's relationship with Congress. It is the wrong answer for Colombian workers.

The Colombia Trade Promotion Agreement is a good trade agreement

that will level the playing field for America's exporters. It will open the new export market for American products, including Montana beef, wheat, and barley, and it will bolster a close ally in a troubled region.

Expanding trade and supporting Colombia are important priorities. That is why the administration should have handled this agreement the right way. Had the administration sought the right answer, it would have worked harder to support my top priority: American workers. Had the administration not rushed forward with the easy answer, we could have had trade adjustment assistance in place before considering this agreement. We need expanded and effective trade adjustment assistance for America's workers. That is clear. That means ensuring that America's service workers—not just its manufacturers and its farmers—receive the help they need.

Service workers make up 80 percent of our workforce. They have helped to build and support the knowledge-based economy that is the engine of America's growth. They work hard. They deserve our support in return.

Expanded and effective trade adjustment assistance must also cover workers whose jobs have been shipped offshore, not just as a result of trade agreements but others as well. It must raise the health care tax credit to make it affordable and accessible, and expanded and effective TAA—trade adjustment assistance—must double the training funds available to our workers.

Were the administration serious about this agreement, it would not have resorted to the easy procedural answers either. In high school civics class, they teach that the Constitution grants Congress the power to regulate foreign commerce. Congress entrusted this power temporarily—and, I might add, importantly, conditionally—to the administration under something called trade promotion authority; that is, Congress did not write a blank check. By submitting the agreement now and against Congress's will, the administration abuses the power Congress granted it. By forcing Congress to consider this agreement now, the administration offends the trust of Congress and violates the compact that is the essence of fast track; that is, trade promotion authority.

When Congress extended trade promotion authority—or, as people call it, fast track—they did so on the condition that the administration would consult with Congress about the text of proposed agreements before it sent them up. Congress set up an informal markup process to apply before the administration formally sent up the legislation. That informal procedure is very important. It was to be conducted, again, before the administration formally sent up its legislative language. The administration has now completely bypassed that process. Now Congress has no opportunity to affect

the language of the proposed agreement. This administration has said: It is my way or the highway.

Procedural checks and balances are the cornerstone of the congressional-executive relationship. It is the cornerstone of trade promotion authority. Democratic and Republican administrations have both respected this cornerstone. But today, this administration shattered this cornerstone. By so doing, they further diminish our trust.

By sending up the implementing bill today; that is, before consultation in the right way, the administration has failed to deliver the right answer for Colombia's workers. Colombia's workers must know that they can safely pursue equality and justice in the workplace, free from the violence that has plagued Colombia in the past.

The Colombian Government has made great strides in this area. The enforceable labor provisions in the United States-Colombia trade agreement are a critical step to ensuring further progress. We must make sure the Colombian Government takes these obligations seriously. They must show that these obligations are not just paper promises.

The normal congressional fast-track process of hearings and formal markups—which the administration has short-circuited—is an important time for Congress to air concerns, exercise its leverage. It allows Congress to ensure that the Colombian Government is committed to prosecuting labor violence. These hearings are important to accomplish that objective. It gives us real leverage to seek commitments from the Colombian Government and the administration to create a work environment in Colombia grounded in law and backed by action. It also allows Congress the chance to help the Colombian Government, through funding provisions included in the implementing bill, to create an environment where those who seek a better life through employment can flourish. Short-circuiting the process and forcing a premature vote on a trade agreement does nothing to help Congress accomplish these goals.

The President's unprecedented handling of the United States-Colombia Free Trade Agreement raises extraordinary questions about how we can move this agreement forward. For America's workers, for the relationship between Congress and the President, for the Colombian people, Congress must now find answers. Finding the right answer has never been easy. By submitting this agreement as it did and when it did, the administration has sought the easy answer, but in the end, the administration has simply made it harder to find the right answer.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. The Senator from California is recognized.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent to speak as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mrs. FEINSTEIN. Mr. President, last week, I tried and failed to introduce an amendment which essentially would set minimum standards, minimum Federal standards for—I see the chairman of the committee has just come in, so if I might wait for a moment and see what he wishes to do. May I note the absence of a quorum for a moment, please.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, I ask unanimous consent to speak as in morning business until the managers of the legislation wish to proceed.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### MEMPHIS TIGERS

Mr. ALEXANDER. Mr. President, I thank the Senator from Montana especially.

There is sorrow in our Bluff City on the Mississippi River and across Tennessee today because the noble University of Memphis Tigers lost last night to Kansas in the finals of the NCAA National Championship basketball tournament. But there is also reason for great pride. The ebullient John Calapiari and his team gave Memphis a new source of pride and the sport a season to remember, winning more games than any college basketball team ever has. Years from now, fans will be talking about the magical Douglas-Roberts, the indomitable Dorsey, the ubiquitous Anderson, the reliable Dozier, the explosive Rose, and the super sub Taggart. They have given fans a great year. They have helped unify Tennessee's largest city. They should hold their heads high as we look toward next year.

#### HOUSING

Mr. ALEXANDER. Mr. President, yesterday I made a few remarks about an amendment Senator KYL and I have offered to an Ensign-Cantwell amendment, and today I wish to place in the